

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**UNITED STATES OF AMERICA**

**§**

**VS.**

**§**

**NO. A-11-CR-322 LY**

**JOSE LUIS CASAS-DURAN**

**§**

**ORDER WITHDRAWING  
REPORT AND RECOMMENDATION**

On July 11, 2013, the undersigned submitted a Report and Recommendation in the above case, recommending the revocation of the Defendant's term of supervised release, and recommending that a sentence of imprisonment of 14 months be imposed. Dkt. No. 33. On July 12, 2013, the government filed a new complaint against the Defendant, alleging a violation of 8 U.S.C. § 1326, for illegal reentry. *See United States v. Jose Luis Casas-Duran*, No. A-13-389 M. The government did not inform the Court at the revocation proceedings on July 11, 2013, that it intended to file new charges against the Defendant. Because the normal practice in such cases is to consolidate the sentencing proceedings in both the revocation matter and the new case (assuming a conviction is obtained), the Court will withdraw its recommendation in this case, and leave that matter to the district judge who is assigned to the new complaint.

ACCORDINGLY, it is ORDERED that the Report and Recommendation filed in this matter on July 11, 2013 (Dkt. No. 33), is hereby WITHDRAWN.

SIGNED this 16<sup>th</sup> day of July, 2013.

  
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ANDREW W. AUSTIN  
UNITED STATES MAGISTRATE JUDGE